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aa**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Mueller et al.

Serial No. : 09/980,548

For : PROMOTER-TRANSACTIVATOR SYSTEM FOR
INDUCIBLE HIGH-LEVEL MAMMALIAN GENE
EXPRESSION WITH THE OPTION OF CELL
GROWTH CONTROL

Filed : October 19, 2001

745 Fifth Avenue
New York, NY 10151**EXPRESS MAIL**

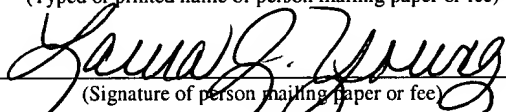
Mailing Label Number: EV073688400US

Date of Deposit: March 27, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Laura J. Young

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

**AMENDMENT AND RESPONSE TO NOTICE
OF MISSING REQUIREMENTS UNDER 35 USC §371**

04/05/2002 LLANDGRA 00000048 09980548

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130.00 DP

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice to File Missing Requirements ("Notice") mailed January 29, 2002. Enclosed herewith is a copy of the Notice as well as the executed Declaration for Patent Application And Power of Attorney, an executed Assignment and recordation sheet and the sequence listing in both paper and computer readable forms.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/980,548	Peter Mueller	930008-2008

INTERNATIONAL APPLICATION NO.

PCT/EP00/03638

IA. FILING DATE	PRIORITY DATE
04/20/2000	04/23/1999

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New York, NY 10151

CONFIRMATION NO. 5730

371 FORMALITIES LETTER



OC000000007356141

Date Mailed: 01/29/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

09/980,548 - 11 A 10 10
 & HAUG, LLP

DOCKETED

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

■ **APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 305-3737

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,548	PCT/EP00/03638	930008-2008